



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

B&P
B&P

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/212,434	12/16/1998	KITAHIRO KANEDA	862-2569	8458

5514 7590 04/19/2002

FITZPATRICK CELLA HARPER & SCINTO
30 ROCKEFELLER PLAZA
NEW YORK, NY 10112

EXAMINER

DASTOURI, MEHRDAD

ART UNIT	PAPER NUMBER
2623	16

DATE MAILED: 04/19/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/212,434	Applicant(s) Kitahiro Kaneda	
	Examiner Mehrdad Dastouri	Art Unit 2623	
<i>-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --</i>			
Period for Reply			
<p>A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>Three</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.</p>			
<ul style="list-style-type: none"> - Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely. - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). - Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b). 			
Status			
1) <input checked="" type="checkbox"/> Responsive to communication(s) filed on <u>Feb 6, 2002</u>			
2a) <input type="checkbox"/> This action is FINAL. 2b) <input checked="" type="checkbox"/> This action is non-final.			
3) <input type="checkbox"/> Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11; 453 O.G. 213.			
Disposition of Claims			
4) <input checked="" type="checkbox"/> Claim(s) <u>16-24, 37-40, 42, 44-47, and 49</u> is/are pending in the application.			
4a) Of the above, claim(s) _____ is/are withdrawn from consideration.			
5) <input type="checkbox"/> Claim(s) _____ is/are allowed.			
6) <input checked="" type="checkbox"/> Claim(s) <u>16-24, 37-40, 42, 44-47, and 49</u> is/are rejected.			
7) <input type="checkbox"/> Claim(s) _____ is/are objected to.			
8) <input type="checkbox"/> Claims _____ are subject to restriction and/or election requirement.			
Application Papers			
9) <input type="checkbox"/> The specification is objected to by the Examiner.			
10) <input type="checkbox"/> The drawing(s) filed on _____ is/are objected to by the Examiner.			
11) <input type="checkbox"/> The proposed drawing correction filed on _____ is: a) <input type="checkbox"/> approved b) <input type="checkbox"/> disapproved.			
12) <input type="checkbox"/> The oath or declaration is objected to by the Examiner.			
Priority under 35 U.S.C. § 119			
13) <input type="checkbox"/> Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).			
a) <input type="checkbox"/> All b) <input type="checkbox"/> Some* c) <input type="checkbox"/> None of:			
1. <input type="checkbox"/> Certified copies of the priority documents have been received.			
2. <input type="checkbox"/> Certified copies of the priority documents have been received in Application No. _____.			
3. <input type="checkbox"/> Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).			
*See the attached detailed Office action for a list of the certified copies not received.			
14) <input type="checkbox"/> Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).			
Attachment(s)			
15) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)			
16) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)			
17) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____			
18) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____			
19) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)			
20) <input type="checkbox"/> Other: _____			

Art Unit: 2623

DETAILED ACTION

Continued Prosecution Application

1. The request filed on February 6, 2002 for a Continued Prosecution Application (CPA) under 37 CFR 1.53(d) based on parent Application No. 09/212,434 is acceptable and a CPA has been established. An action on the CPA follows.

Response to Amendment

2. Applicant's amendment filed, December 26, 2001, has been entered and made of record.

3. Applicant's arguments with respect to Claim 16 have been fully considered but they are moot in view of the new grounds of rejection.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 16, 18-20 and 22-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shimada et al (U.S. 5,982,928).

Regarding Claim 16, Shimada et al disclose a communication system that performs communication between a terminal (Figure 1, Terminals 5/6 and 7/8) and a central control unit (Figure 1, Host Terminal 10000), said terminal comprising:

Art Unit: 2623

a read means for reading a manuscript, including a manuscript ID as image data (Figure 2, Input Device 19; Column 2, Lines 60-63; Column 7, Lines 46-47);

first transmitting means for transmitting the recognized manuscript from the image data (Figure 2, Communication Device 2; Column 6, Lines 48-54);

first receiving means for receiving a control signal from the central control unit, the control signal including an information of character recognizing condition according to the transmitted manuscript ID (Figure 2, communication Device 23; Column 7, Lines 60-67, Column 8, Lines 1-3);

character recognition means for performing character recognition from the image data in accordance with the information of character recognizing condition included with the control signal (Figure 1, Recognition Engines/Basic and Personal Dictionaries 6 and 8; Column 5, Lines 30-34; Figure 5A; Column 7, Lines 60-67, Column 8, Lines 1-3. As depicted in Figure 5A, in Step S15, handwritten recognition is requested to be performed in corresponding terminals 5 or 7. The control signal from host terminal (Central Control Unit 10000) is the recognition request command (stroke information including the writing position/time information as disclosed in Column 8, Lines 39-49) and the pointer of the data to be recognized.);

said central control unit comprising:

second receiving means for receiving the manuscript ID transmitted from said terminal (Figure 1, Communication Service 2, Recognition Control Unit 4; Column 5, Lines 40-57);

Art Unit: 2623

obtaining means for obtaining the information of character recognizing condition according to the received manuscript ID (Figure 1, Recognition Control Unit 4, Attribute Addition Unit 3; Column 5, Lines 46-57; Column 8, Lines 39-49. The information of character recognizing condition will be obtained based on the attributes including terminal ID or describer name (manuscript ID), and stroke information including the writing position/time information.); and second transmitting means for transmitting the control signal including the obtained information of character recognizing condition to said terminal (Figure 2, Communication Device 23; Figure 5B; Column 8, Lines 39-49).

Shimada et al disclose a manuscript ID recognition means included in the host terminal or the central control unit (Figure 1, Recognition Control Unit 4; Column 5, Lines 43-50.

Shimada et al further disclose the central control unit and terminal A and B have the same configuration and utilize the same application programs (Column 5, Lines 4-10; Column 5, Lines 30-31). However, Shimada et al do not explicitly disclose a manuscript ID recognition means included in the terminals A or B.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Shimada et al invention to include a manuscript ID recognition means in the terminals A or B because it will expand the versatility of the communication system by providing flexible access to manuscript ID for expediting character recognition process.

Regarding Claim 18, Shimada et al further disclose the communication system according to Claim 16, wherein said central control unit further comprising a database for managing said

Art Unit: 2623

control signal for the information of character recognizing condition corresponding to the manuscript ID, wherein said obtaining means obtains from said database the control signal corresponding to the manuscript ID (Figure 1, Attribute Addition Unit 103, Personal/Basic Dictionaries 106/108; Column 5, Lines 46-63).

Regarding Claim 19, Shimada et al further disclose the communication system according to Claim 16, wherein the information of character recognizing condition includes positional information, showing each of plural recognition area in said image data, and recognition dictionary information showing a recognition dictionary used for recognition in each recognition area (Column 8, Lines 39-55. The control signal from host terminal (central control unit) to terminals 5 and 7 includes position information (e.g., a rectangular enclosing the data to be recognized) and stroke information which is based on the attribute of the terminal describer identifying the relevant dictionary (template) to be utilized.).

With regards to Claims 20, 24 arguments analogous to those presented for Claim 16 are applicable to Claims 20, 24.

With regards to Claim 22 arguments analogous to those presented for Claim 18 are applicable to Claim 22.

With regards to Claim 23 arguments analogous to those presented for Claim 19 are applicable to Claim 23.

6. Claims 17, 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shimada et al (U.S. 5,982,928) further in view Lyon (U.S. 5,796,863).

Art Unit: 2623

Regarding Claim 17, Shimada et al further disclose the communication system according to Claim 16, wherein said character recognition means determines recognition candidate characters corresponding to said image data in accordance with the information of character recognition condition included with said control signal and outputs a predetermined number of recognition candidate characters in the order characters (Figure 1, Terminals 5/6 and 7/8; Column 7, Lines 24-27. Candidate characters are recognized with using a recognition dictionary). Shimada et al do not disclose determining recognition candidate characters according to largeness of similarity of the recognition candidate characters. Lyon disclose an adaptive classifier for handwritten recognition wherein the candidate characters are recognized according to largeness of similarity of the recognition candidate characters (Figure 1; Column 6, Lines 24-30). It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Shimada et al invention according to the teachings of Lyon to determine recognition candidate characters using a recognition dictionary based on the control signal and output a predetermined number of recognition candidate characters in the order characters because it will increase accuracy of the recognition system by selecting candidate characters having highest probability of similarity.

With regards to Claim 21 arguments analogous to those presented for Claim 17 are applicable to Claim 21.

Art Unit: 2623

7. Claims 37-41 and 44-47 and 49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shimada et al (U.S. 5,982,928) further in view of Kunio Sakai (JP 58-182956) and Bricklin et al (U.S. 5,848,187).

Regarding Claim 37, Shimada et al further disclose the communication system according to Claim 36, wherein said character recognition means performs character recognition from the image data and outputs the recognition candidate character judged as recognizable (Figure 4B; Column 7, Lines 19-27).

Shimada et al further disclose transmitting information of character recognizing condition that includes stroke information of manuscript characters (Column 8, Lines 39-41).

Shimada et al do not disclose transmitting information of character recognizing condition that includes threshold information.

Kunio Sakai disclose a facsimile device that transmits information of character recognizing condition that includes threshold information (Abstract and Constitution).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Shimada et al invention according to the teaching of Kunio Sakai to include threshold information in the information of character recognizing condition because it will increase the accuracy of character recognition system by utilizing detailed information of acceptable thresholds and, consequently, will minimize erroneous recognition of characters.

Art Unit: 2623

Neither Shimada et al nor Kunio Sakai disclose judging on the basis of threshold information included in the information of character recognizing condition whether the recognition candidate character included in the result of character recognition is unrecognizable.

Bricklin et al disclose a handwritten recognition method and apparatus wherein a judging means judges on the basis of a predetermined threshold whether the recognition candidate character is unrecognizable (Column 18, Lines 41-64), and wherein said character recognition means outputs the result of character recognition on the basis of a judgement result of the judging means (Figure 16A; Column 25, Lines 65-67, Column 26, Lines 1-15).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Shimada et al and Kunio Sakai combination according to the teaching of Bricklin et al to judge on the basis of the information of character recognizing condition whether the recognition candidate character is recognizable because it will reduce the probability of erroneous character recognition and will provide more accurate recognition results.

Regarding Claim 38, Bricklin et al further disclose the communication system according to Claim 37, wherein said character recognition means judges whether said recognition candidate character included the result of character recognition is unrecognizable, by comparing the threshold information with similarity of said recognition candidate character (Column 18, Lines 54-62).

Regarding Claim 39, Bricklin et al further disclose the communication system according to Claim 38, wherein said character recognition means judges that the recognition candidate

Art Unit: 2623

character is unrecognizable, if the threshold information is larger than the similarity of said recognition candidate character (Column 18, Lines 54-57. The handwritten character is unrecognizable if the predetermined threshold is larger than the confidence level for the best fit of the candidate character).

Regarding Claim 40, Bricklin et al further disclose the communication system according to Claim 37, wherein said character recognition means outputs a predetermined code showing unrecognizability when all of the recognition candidate character is judged as unrecognizable character (Figure 16A; Column 25, Lines 59-61).

With regards to Claims 42 and 49 arguments analogous to those presented for Claims 37 and 19 are applicable to Claims 42 and 49.

With regards to Claim 44 arguments analogous to those presented for Claim 37 are applicable to Claim 44.

With regards to Claim 45 arguments analogous to those presented for Claim 38 are applicable to Claim 45.

With regards to Claim 46 arguments analogous to those presented for Claim 39 are applicable to Claim 46.

With regards to Claim 47 arguments analogous to those presented for Claim 40 are applicable to Claim 47.

Art Unit: 2623

Contact Information

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mehrdad Dastouri whose telephone number is (703) 305-2438. The examiner can normally be reached on Monday through Friday from 8:00 a.m. to 4:30 p.m. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amelia Au, can be reached at (703)308-6604.

Any response to this action should be mailed to:

Commissioner for Patents
Washington, D.C. 20231

or faxed to:

(703) 872-9314 (for *formal* communications; please mark
"EXPEDITED PROCEDURE")

or:

(703) 872-9314 (for *informal* or *draft* communications, please label
"PROPOSED" or "DRAFT")

Hand delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application should be directed to the Technology Center Customer Service Office whose telephone number is (703)306-0377.

Mehrdad Dastouri

Mehrdad Dastouri
Patent Examiner
Group Art Unit 2623
April 16, 2002